

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAFAEL MARQUEZ AMARO, *et al.*, on
behalf of themselves and others similarly
situated,

Plaintiff,

v.

BEE SWEET CITRUS, INC.,

Defendant.

Case No. 1:21-cv-00382-JLT-EPG

ORDER OPENING LIMITED DISCOVERY
AND SETTING STATUS CONFERENCE

(ECF No. 50).

On November 10, 2022, the Court held a telephonic status conference regarding whether discovery should begin in this case. (ECF No. 50). Counsel Ariel Stiller-Shulman appeared on behalf of Plaintiffs. (Id.) Counsel Thomas Campagne appeared on behalf of Defendant. (Id.) For the reasons stated on the record, IT IS HEREBY ORDERED that:

1. Defendant's objection to the start of discovery on the ground that there are pending dispositive motions is overruled.
2. Discovery is now open, except that depositions will not be permitted at this time.
3. As stated at the conference, if there is a dispute about the scope of discovery after the parties have met and conferred and served discovery requests, then the parties shall request an informal discovery dispute conference prior to filing any discovery motion. A party wishing to schedule such a conference should contact chambers to receive

1 available dates. The Court will schedule the conference as soon as possible, taking into
2 consideration the urgency of the issue.

3 a. Prior to the conference, the parties shall simultaneously file an Informal Discovery
4 Dispute Letter Brief, outlining their positions regarding the dispute. Such briefs
5 shall be no longer than three pages single-spaced, and may include up to five pages
6 of exhibits. The parties are also directed to email their briefs to

7 epgorders@caed.uscourts.gov. The Court will provide the date and time the Letter
8 Briefs are due at the time the conference is scheduled.

9 b. The parties are advised that the Court will not issue a formal ruling at the time of
10 the conference. Nevertheless, the Court will attempt to provide guidance to the
11 parties to narrow or dispose of the dispute. If no resolution can be reached without
12 formal motion practice, the Court will authorize the filing of a formal discovery
13 motion.

14 4. If a motion is brought pursuant to Federal Rule of Civil Procedure 37 or 45, after
15 receiving permission from the Court, the parties must prepare and file a Joint
16 Statement re: Discovery Disagreement (“Joint Statement”) as required by Local Rule
17 251.¹ In scheduling such motions, Magistrate Judge Grosjean may grant applications
18 for an order shortening time pursuant to Local Rule 144(e). If a party does not obtain
19 an order shortening time, the notice of motion must comply with Local Rule 251.

20 a. A Joint Statement, not to exceed twenty-five (25) pages, must be filed seven (7)
21 calendar days before the scheduled hearing date. Prior to the filing of the Joint
22 Statement, the parties must meet and confer as set forth in Local Rule 251(b). In
23 addition to filing the Joint Statement electronically, a copy of the Joint Statement
24 in Word format must be sent to Magistrate Judge Grosjean’s chambers via email to
25 epgorders@caed.uscourts.gov. Courtesy copies for any pleading in excess of
26 twenty-five pages (25) (including exhibits) shall also be delivered to chambers via
27 US mail, or hand delivery, at the time the Joint Statement is electronically filed.

28 ¹ Certain limited exceptions from filing the required Joint Statement are outlined in Local Rule 251(e).

Motions may be removed from the Court's calendar if the Joint Statement is not timely filed, or if courtesy copies are not timely delivered.

5. Additionally, the Court sets a status conference to be held on April 5, 2023, at 10:30 a.m. in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. To participate telephonically, each party is directed to use the following dial-in number and passcode: 1-888-251-2909; passcode 1024453. *The parties shall file a joint status report one full week prior to the conference and shall email a copy of the same, in Word format, to epgorders@caed.uscourts.gov, for the Judge's review.*
6. Failure to comply with this order shall result in the imposition of sanctions.

IT IS SO ORDERED.

Dated: November 14, 2022

/s/ Erica P. Grosjean
UNITED STATES MAGISTRATE JUDGE